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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,929	12/06/2001	William P. Brown	019417-000120US	9109
20350 7590 04/27/2007 TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			EXAMINER BESROUR, SAOUSSEN	
			ART UNIT 2131	PAPER NUMBER
			MAIL DATE 04/27/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

*Supplemental*  
**Notice of Allowability**

Application No.

10/006,929

Examiner

Saoussen Besrour

Applicant(s)

BROWN ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.


1. ☒ This communication is responsive to 2/5/2007.
2. ☒ The allowed claim(s) is/are 1-3, 5-12 and 15-16.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**AYAZ SHEKH**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**

### **DETAILED ACTION**

1. This action is in response to the communication filed 2/5/2007.
2. Currently claims 1-3, 5-12 and 15-16 are pending.
3. The Terminal Disclaimer filed 2/5/2007 disclaiming the terminal portion of any patent granted on the application, which would extend beyond the expiration date of US Patent No. 6,912,668 has been reviewed and is accepted. The Terminal Disclaimer has been recorded.

### ***Allowable Subject Matter***

4. Claims 1-3, 5-12 and 15-16 are allowed.
7. The following is an examiner's statement of reasons for allowance: The admitted prior art DeKoning et al. (U.S. Patent No. 6,073,218) discloses performing concurrent I/O operations on a common shared subset disk drives by a plurality of RAID controllers. Each of a plurality of Raid controllers may actively process different I/O requests on a common shared subset of disk drives. The RAID controllers exchange messages over communication medium to coordinate concurrent access to the shared subset of disk drives through the primary controller.

However, the admitted prior art does not disclose: " receiving a request from a host, by a first one of the AMFs, to perform a first operation on data stored on a first one of the resources; broadcasting a message from the first AMF to the other AMFs sharing access to the first resources so as to acquire the first resource; performing the first operation on the data by the first AMF; and sending replication and state data from the

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first AMF to the other AMFs concurrently while performing any steps of the operation, one of the other AMFs is able to complete the operation using said sent replication and state data".

8. Any Comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comment on Statement of Reasons for Allowance."

### ***Conclusion***

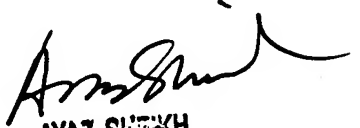
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saoussen Besrour whose telephone number is 571-272-6547. The examiner can normally be reached on M-F 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SB  
February 15, 2007

  
AYAZ SHEKH  
SUPERVISORY PATENT EXAMINER  
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